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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
09/396,701	09/15/99	GUPTA	A	MS1-388US

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EXAMINER
PRIETO, B

ART UNIT	PAPER NUMBER
2152	11

DATE MAILED:
04/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

	Application No.	Applicant(s)	
Advisory Action	09/396,701	GUPTA ET. AL.	
	Examiner	Group Art Unit	
	Beatriz Prieto	2152	

THE PERIOD FOR RESPONSE: [check only a) or b)]

a) ☒ expires _____3_____ months from the mailing date of the final rejection.

b) ☐ expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due two months from the date of the Notice of Appeal filed on _____ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on _Apr 12, 2001_ **has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:**

☒ The proposed amendment(s):

  ☒ will be entered upon filing of a Notice of Appeal and an Appeal Brief.

  ☐ will not be entered because:

    ☐ they raise new issues that would require further consideration and/or search. (See note below).

    ☐ they raise the issue of new matter. (See note below).

    ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.

    ☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

  NOTE: *Proposed amendment comprising further limiting: "one or more annotations sets" to "one or more annotation sets of a plurality of annotation sets" does not place the application in condition for allowance.*

☐ Applicant's response has overcome the following rejection(s): _____

☐ Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

☒ The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:
(see attached supplemental advisory action)

☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

☒ For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: _None_

Claims objected to: _None_

Claims rejected: _1-6, 8-25, 27-33, and 35-39_

☐ The proposed drawing correction filed on _____ ☐ has ☐ has not been approved by the Examiner.

☐ Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). _____ .

☐ Other

**LE HIEN LUU
PRIMARY EXAMINER**

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⬤

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Supplemental Advisory Action

1. This communication is in response to After Final Amendment/Request for reconsideration, filed 04/12/01, wherein proposed amendment further limited claims 8, 31, and 39, claims 1-6, 8-25, 26-33 and 35-39 remain pending.

2. Argument present have been fully reconsidered and major point presented are addressed hereby :

It is argued point (A): prior art of record, Sidana does not teach or suggest claim (1) limitation: i.e. *generation of new annotations based on electronic mail messages received not in response to the sent electronic mail messages.*

It is argued point (B): prior art of record, Sidana in combination with Hou do not teach or suggest claim (13) limitation: i.e. *an installation option that identifies an installation program that can be used to install one or more modules allowing the content and corresponding media content to be rendered;*

It is argued pint (C): prior art of record, Hou does not teach or suggest claim limitation: i.e. *an identifier of a temporal range of the media content that the new annotation content is associated with, which corresponds to a location of the media content that is after the beginning of the media content and at which rendering of the media content should begin in response to selection of the identifier of the media content in the electronic mail message.*

3. In response to point A: Hou teaches;
   (a) By utilizing the present invention, an individual can perform the following tasks: (1) an individual can <u>create reports</u> by <u>including multiple media data; place multimedia data objects into the canvas</u> (region on the display provided to perform media-related actions) and the <u>individual can send the report to other individuals via an e-mail system</u>; *(i.e. generation of an e-mail message containing annotation, where generated e-mail message is not in response to a sent message)*; (col 3/lines 8-13); The open report handler receives an input from the command interpreter, and a <u>decision is made as to whether the report is a new report and if there is a new report, the current report is cleared</u>. *(i.e. generation of new report, where report is not a stored report which may be from the mailbox);* (col 3/lines 65-col 4/line 14, Fig. 2, new report or from mailbox); the mail report handler receives an input..., the <u>mailing list</u> is searched and displayed, the <u>user selects a receiver's name</u>, a <u>report is composed to a message</u> and the <u>message is delivered</u> (col 4/lines 26-31, Fig. 4 from Fig. 1); The attach media handler (26) <u>attaches media types of text, images, graphics and audio from an external media source 31, into the multimedia report (32)</u>. ...the <u>mail report</u> handler (27) connected to the <u>multimedia report 32 generates an e-mail message for delivery</u> (col 6/lines 4-25); *(i.e. generation of an e-mail message containing annotation, where generated e-mail message is not in response to a sent message)*

4. In response to point B: Russell teaches;
   The operating system sub-programs 171 consist of the Windows 3.1 operating system, the <u>multimedia extensions</u> which come as part of the retail <u>package</u> containing the <u>operating system</u>, and the <u>device drivers selectively loaded</u> when the PC is configured. *(i.e. an installation option that identifies an installation program,* (option, the act, power or freedom of choosing; choice, something available as a choice, the exclusive right, usually obtained for a fee, to buy or sell something within a specified time at a set price. c. A right to buy or sell specific securities or commodities at a stated price within a specified

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time)). Said program extensions (Fig. 17) included in said device drivers (e.g. the sound board driver, and the drivers for display), further including a second group of subprograms (DLL) and three executable application subprograms., specifically these executable subprograms comprise the items App.exe 177, Record.exe 179, and Buffer.exe 181, wherein Record.exe and Buffer.exe direct the speech process part 137 of Fig.. 15, and App.exe 177 directs the User Interface Part 139 of Fig. 15. When the user wishes to have the application active ...he starts the application Record.exe 177 Record.exe 177 in turn starts Buffer.exe 181, loading the subprograms (DLL). Record.exe manages the interface to the multimedia extensions using the Low-level audio functions,... opens the audio device represented by the sound board, manages the memory used for recording (e.g. multimedia RIFF chunks) by passing buffers to the opened device,...;(col 16/lines 47-col 17/line 40); ...the user has the freedom to recognize part way into a telephone call that valuable information has been exchanged, he may at this time invoke the sub-program App.exe to actually create a representation of the current and past speech which he can then act on, the user has time to hear and evaluate speech, and he has the visual cues to mark and to save the speech after he has heard it *(i.e. program extension (loadable modules) allows media content to be rendered)*. App.exe ..create specialized windows, timers, and file management systems, ... the operation of App.exe is governed by the two timers, ..., and by user events generalized in FIG. 18 as keyboard events 193 and mouse events 195; (col 18/lines 25-56, Figs, 6-18, rendering content and multimedia content, *also comprising identifier's of temporal range of media content)*;

5.   In response to point C: Hou teaches

In the report viewer, 35 of FIG. 9, the dynamic annotation can be displayed along a time-line with some markers as illustrated in FIG. 14. These markers are used to specify annotation segments for playing back or for reply. Four types of markers are used: object-region markers, ... and voice-silence markers. Object-region markers indicate which data object the mouse pointer is pointing at along the time line. For the purpose of visual display, these markers divide the time line into several regions, each representing one data object that the mouse pointer is located. Furthermore, each region is color-coded to distinguish different data objects. ... The silence parts of the human voice are used as voice-silence markers to indicate which portions of the annotation have human voice (col 8/lines 43-67); *(an identifier of a temporal range of the media content that the new annotation content is associated with, which corresponds to a location of the media content that is after the beginning of the media content and at which rendering of the media content should begin in response to selection of the identifier of the media content in the electronic mail message), ...*The content of the reports goes beyond other available reporting systems by having dynamic annotation capability. ...the report can also serve as a consultation tool for other individuals to add their comments by using dynamic annotations. The segmentation of annotations and display of related annotations enable the individual to identify related annotations.(col 9/lines 14-18). A multimedia-based reporting system...comprising: display means for displaying segmented annotations using markers; user selection means to allow said user to select a segment; record means to record said segment; and, playback means to playback said segment. (col 9/lines 64-col 10/line 2); *(an identifier of a temporal range of the media content that the new annotation content is associated with, which corresponds to a location of the media content that is after the beginning of the media content and at which rendering of the media content should begin in response to selection of the identifier of the media content in the electronic mail message)*

6.   Arguments filed 04/12/01 have been fully considered, but not found persuasive.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Prieto, B.** whose telephone number **is (703) 305-0750.** The Examiner can normally be reached on Monday-Friday from 6:30 to 4:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, **Mark H. Rinehart** can be reached on **(703) 305-4815.** The fax phone number for the organization where this application or proceeding is assigned is **(703) 308-6606.** Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is **(703) 305-3800/4700.**

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
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or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

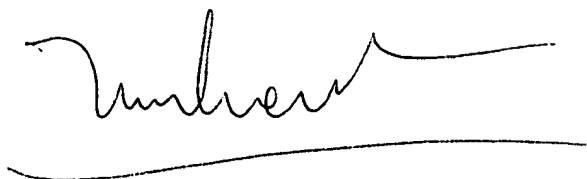(703) 305-7201 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Fourth Floor (Receptionist), further ensuring that a receipt is provided stamped "TC 2100".

B. Prieto
Patent Examiner
April 14, 2001

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PRIMARY EXAMINER